

REMARKS

The Office Action mailed February 24, 2005 has maintained rejection of claims 1-16. The reference relied upon by the Office Action is US Patent Publication No. 2002/0183056 naming Lundblade et al. as the inventors (“Lundblade”). Specifically, the Office Action alleges that Lundblade anticipates the claimed invention under 35 U.S.C. § 102(e). All three independent claims have been rejected on similar grounds discussed further below.

Claim 9 has been amended for consistency and clarification. Specifically, applicant realized that the claim was lacking antecedent basis for the term “remote site application server,” which resulted in the amendments to the claim. It is respectfully requested that the amendment be entered.

Applicants respectfully request that the rejections of claims 1-16 be withdrawn and the claims be allowed to proceed to issuance because the Office Action has failed to make a *prima facie* case for the rejection of the pending claims under 35 U.S.C. § 102(e). Specifically, as an example, Lundblade does not teach, disclose or suggest the claim 1 limitation ‘a central application server program configured to be downloaded to one or more remote wireless application server computers.’ Figure 2, illustrating the application download server 215 of Lundblade does not even suggest anything about downloading of the central application server program. Therefore, instead of speculating as to the meaning attached to various components and their respective disclosed functions by the Office Action, applicants respectfully request express clarification to enable them to further respond to the rejection.

Nor does Lundblade teach disclose or suggest the limitation of claim 1—a central application server program ‘configured to cause the one or more remote wireless application server computers to download and to install one or more wireless application software components on the one or more remote wireless application server computer.’ The Office Action cites paragraphs 48-59 of Lundblade in support of the rejection. However the cited portions of Lundblade are entirely silent as to downloading of wireless application components onto server computers.

Similarly, applicants could not find support for the alleged disclosure by Lundblade of the claim 1 limitation wherein the remote wireless application server programs are ‘configured to transmit to one or more portable devices one or more client applications and to cause the one or more portable devices to install the one or more client applications.’

Independent claim 8 also has limitations similar to those discussed in the context of claim 1. For instance, claim 8 includes a “computer executing a server program configured to download the at least one application server program and the at least one wireless software program to a remote application server in response to a request by the remote application server.” Similar consideration apply to independent claim 9, which was also rejected by the Office Action for similar reasons. Applicants have amended claim 9 for consistency and further clarification as described earlier.

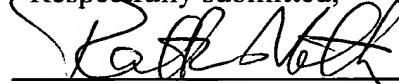
The Office Action appears to be treating as same the downloading of client applications to wireless client devices and the downloading of server programs to server(s). However, this is not entirely clear from the Office Action. In view of the above, it is respectfully requested that the Office Action either (i) withdraw the rejections of the pending claims under 35 U.S.C. § 102(e); or (ii) provide a more detailed explanation of the rejections to allow a response to be prepared.

Because the three independent claims are allowable in their present form, all of remaining claims are axiomatically allowable in view of their ultimate dependency on the allowable independent claims. Therefore, it is respectfully requested that all of the pending claims be allowed to issue without delay.

No fees other than those required for the filing of the accompanying Extension of Time for One Month are estimated to be due with this response since it is being filed within four months from the February 24 mailing date of the Office Action. Please charge any additional required fees to Jones Day Deposit Account No. 50-3013. Please do not hesitate in calling the undersigned, should there be any need for clarifications.

Date June 24, 2005

Respectfully submitted,



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